



<b>Policy Title</b>	<b>PRIVACY POLICY</b>
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<b>Policy Owner and Custodian</b>	GM: Legal Services
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## **1. Introduction**

- 1.1. Welcome to our Privacy Policy. We are the Southern African Music Rights Organisation NPC (SAMRO) with company registration number 1961/002506/08 (“SAMRO” or “we” or “us”) and this policy sets out our undertakings and commitments when it comes to protecting the right to privacy in view of, among other obligations, our obligation of transparency when we process personal information. We respect your privacy and take the protection of your personal information very seriously. The purpose of this policy is to describe the way that we collect, store, use, protect information and conduct any other operation or activity regarded as “processing” of personal information in terms of the applicable laws, which information is or can be associated with you or another specific natural or juristic person and/or can be used to identify you or that person (“personal information”).
- 1.2. We are a collective management organisation responsible for administering Performing Rights on behalf of our members. We do so by licensing music users (such as television and radio broadcasters, live music venues, retailers, restaurants, promoters and shopping centres), through the collection of licence fees which are then distributed as royalties. We describe who we are and what we do in detail on our website
- 1.3. We are incorporated in the Republic of South Africa, however, due the nature of our operations, we have chosen to adopt a global approach to privacy and data protection compliance. Our commitments here are cognisant of the local as well as other leading data protection laws and global best practices.

*The purpose of this policy is to describe the way that we handle your personal information.*

## **2. Audience**

- 2.1. This policy applies to you if you:
  - 2.1.1. are a visitor to our website, online portals and online services (hereinafter for convenience, where the context requires, collectively referred to as “our website”);
  - 2.1.2. are a former, current or prospective employee (subject to other relevant policies);
  - 2.1.3. are an independent contractor or other service provider to SAMRO;
  - 2.1.4. a licensed user or member of our organisation;
  - 2.1.5. are an organisation that joins our network of organisations; or
  - 2.1.6. otherwise interact with us in any other way in the course and scope of our business, which interaction results in our processing of your personal information.

## **3. What is personal information?**

- 3.1. Personal information is defined in the applicable privacy and data protection and laws and for our purposes includes but is not limited to:
  - 3.1.1. certain information that we collect automatically when you visit our website;
  - 3.1.2. certain information collected on registration (see section 7 below);
  - 3.1.3. certain information collected on submission; and/or
  - 3.1.4. Personal information excludes:

- 3.1.5. information that has been made anonymous so that it does not identify a specific person;
- 3.1.6. permanently de-identified information that does not relate or cannot be traced back to a specific person; or
- 3.1.7. non-personal statistical information collected and compiled by us.

*Personal information includes information we collect (i) automatically when you visit our website, (ii) on registration, (iii) on submission, and (iv) from you voluntarily. It excludes (i) anonymous, (ii) de-identified, (iii) non-personal statistical, and (iv) public information.*

#### **4. Common examples**

- 4.1. Common examples of the types of personal information which we may collect and process include your:
  - 4.1.1. identifying information – such as your name, date of birth, or identification number;
  - 4.1.2. contact information – such as your phone number or email address;
  - 4.1.3. address information – such as your physical or postal address; or
  - 4.1.4. demographic information – such as your gender or marital status.

#### **5. Special personal information**

- 5.1. Depending on the form or nature of your interaction with us, we may also require and process special personal information including your:
  - 5.1.1. demographic information – such as your race or ethnicity;
  - 5.1.2. sexual information – such as information about your sex life or sexual orientation;
  - 5.1.3. Biometric information - such as fingerprints, face, speech or iris recognition;
  - 5.1.4. criminal information – such as information about your commission or alleged commission of any offence or about any related legal proceedings;
  - 5.1.5. employment information – such as information about your trade union membership; and/or
  - 5.1.6. beliefs – including your political or religious beliefs.

#### **6. Acceptance**

##### **6.1. Acceptance required**

You must accept all the terms of this policy when you request or use our services or otherwise interact with us in a manner that results in the sharing of your personal information with us, whether by you in person or by someone else on your behalf. If you do not agree with anything in this policy, then you may not request or use our services and you are advised to not share personal information with us.

*You may not order our goods or request or use our services or share personal information with us if you do not accept this policy.*

## 6.2. Legal capacity

- 6.2.1. You may not access our website or make use of our services if you are younger than 18 years old or do not have legal capacity to conclude legally binding contracts.
- 6.2.2. We wish to protect the privacy of children under the age of 18. If you are under the age of 18, please get your legal guardian's or other competent person's permission before you use our website or otherwise provide us with any personal information.

## 6.3. Deemed acceptance

By accepting the terms of this policy or continuing to use our website or interacting with us in a manner which results in the sharing of personal information, you are deemed to have read, understood, accepted, and agreed to be bound by all of the terms of this policy.

## 6.4. Your obligations

You may only provide or share with us your own personal information or the information of another data subject where you have their permission or authority to do so.

## 7. How do we collect personal information?

- 7.1. On submission of an enquiry or registration - when you or someone on your behalf submit an enquiry (whether telephonically, in person, electronically or otherwise) or when you register on our website, you will no longer be anonymous to us. In the said event, we will process your personal information, and/or that of persons you represent, which may include but is not limited to:

- 7.1.1. your name and surname;

- 7.1.2. your email address;

- 7.1.3. your telephone number;

- 7.1.4. where applicable, your company name, registration number, and tax registration numbers;

- 7.1.5. your postal address or street address; and/or

- 7.1.6. your username and password.

- 7.2. We will use this personal information to fulfil your account, provide additional services and information to you as we reasonably deem appropriate, and for any other purposes set out in this policy.

*We collect certain information when you enquire or register on our website.*

## 7.3. When you receive services as our user or member

When we provide you with services, we may process your personal information and request you to provide us with additional information (services information).

## 7.4. Events

We may require that you provide us with personal information when you attend an event that we host.

## 7.5. From browser

We automatically receive and record internet usage information on our server logs from your browser, such as your Internet Protocol (“IP”) address, browsing habits, click patterns, version of software installed, system type, screen resolutions, colour capabilities, plug-ins, language settings, cookie preferences, search engine keywords, JavaScript enablement, the content and pages or features that you access on our website or portals, and the dates and times that you visit our website or portals, paths taken, and time spent on sites and pages within the website (usage information). Please note that other websites visited before entering our website might place personal information within your URL during a visit to it, and we have no control over such websites. Accordingly, as a subsequent website that collects URL information, our website may log such personal information.

*We collect certain information from your web browser, including your internet usage information when you visit our website.*

## 7.6. Cookies

When you interact with our website, we may obtain certain information using automated technologies, such as cookies and web server logs technologies. A “cookie” is a text file that websites send to a visitor’s/user’s device to uniquely identify the visitor’s browser or to store information or settings in the browser. For information on how we handle cookies with cookies, please refer to our Cookie Policy.

## 7.7. Web beacons

Our website may contain electronic image requests (called a single-pixel gif or web beacon request) that allow us to count page views and to access cookies. Any electronic image viewed as part of a web page (including an ad banner) can act as a web beacon.

*We collect certain information from web beacons on our website to compile anonymous information about our website.*

## 7.8. Optional details

You may also provide additional information to us on a voluntary basis (optional information). This includes content or products that you decide to upload or download from our website or when you enter competitions, take advantage of promotions, respond to surveys, when you request certain additional services, or otherwise use the optional features and functionality of our website.

## 7.9. Recording calls

We may monitor and/or record any telephone calls that you make to us unless you specifically request us not to. Notwithstanding your request for us not to record telephone calls, we may still do so where required by the applicable laws.

## 7.10. When you interact with us generally

We may process your personal information or that of other persons you represent when you interact with us in any other manner, including but not limited to visiting our premises, submitting job applications, submitting tenders and other voluntary provision of information

## **8. Who are our data subjects?**

- 8.1. We process the personal information of various categories of persons, including but not limited to:
- 8.1.1. affiliated songwriters, composers, music publishers, licensing customers and music and industry professionals;
  - 8.1.2. customers and members of the SAMRO network;
  - 8.1.3. visitors and/or users of our website;
  - 8.1.4. children and their guardians who fall under the above categories of persons;
  - 8.1.5. juristic person and their representatives who fall under the above categories of persons;
  - 8.1.6. service providers, their personnel and representatives;
  - 8.1.7. employees and prospective employees or job applicants;
  - 8.1.8. debtors and creditors;
  - 8.1.9. directors and shareholders; and
  - 8.1.10. any other third party who interacts with us in the course and scope of our business.

## **9. Purpose for processing**

- 9.1. We may use or process any personal information, services information, or optional information that you provide to us for the purposes that we requested it for or that you indicated when you agreed to provide it to us. Processing includes gathering your personal information, disclosing it, and combining it with other personal information. We generally collect and process your personal information for various purposes, including:

9.1.1. **services purposes** – such as:

- collecting requests for and providing our services;
- managing our contracts with various data subjects;
- managing customer credit in general;
- processing data subjects' notifications, requests or complaints;
- keeping our data subject records and information up to date;
- better understanding our data subject's needs;
- providing support to our data subjects;
- improving and developing our services;
- measuring, tracking and analysing trends and usage in connection with your use of or the performance of our website or services;
- improving and personalising your use of our website or services;
- delivering information and supporting your requests while using our services;
- or
- maintaining our historical engagements with you in relation to our services.

9.1.2. **marketing purposes** – such as:

- marketing to members; or
- marketing to prospective members.

9.1.3. **business purposes** – such as:

- accounting;
- managing employees in general;
- internal audit as well as in connection with external audit; business planning and due diligence, and joint ventures, disposals of business, or other proposed and actual corporate transactions.

9.1.4. **legal purposes** – such as:

- handling claims and enforcing debts; and
- complying with applicable laws, regulations or pursuing good governance.

9.1.5. We may use your usage information for the purposes described above and, in as far as our website is concerned, further to:

- remember your information so that you will not have to re-enter it during your visit or the next time you access the website;
- monitor website usage metrics such as total number of visitors and pages accessed; and
- track your activities in connection with your usage of the website.
- Refer to our Cookie Policy for more details on the foregoing.

*We may use any of your personal information that you provide to us for the purposes that we requested it for or that you indicated when you agreed to provide it to us.*

9.2. **Consent to processing**

Where a processing activity we undertake necessitates that we obtain your consent, we will obtain your consent to process the personal information in accordance with the applicable laws.

10. **Use**

10.1. **Our obligations**

Other than where personal information is processed upon consent of the data subject, we may otherwise process personal information where the processing:

- is necessary to carry out or fulfil our obligations to you;
- complies with an obligation imposed on us by law;
- is aimed at protecting your legitimate interests; or
- is necessary for pursuing our legitimate interests or of a third party to whom the information is supplied,

as more fully detailed further below.

10.2. **Messages and updates**

We may send administrative messages and email updates to you about our services and/or the purpose for which the information was collected or subsequently processed. We may wish to provide you with information about our services in which we think you may be

interested. We will not send you promotional messages unless you have chosen to opt-into them. But we may send you one message to establish whether you are willing to opt-into receiving promotional messages without you having opted-into promotional messages.

*We may use your information to send you administrative messages and email updates to you regarding our website and for marketing purposes where lawful.*

## **11. Reasons we share personal information and who we may share it with**

### **11.1. Sharing** - we may share your personal information with:

- 11.1.1. Other divisions or companies within the group of companies to which we belong so as to provide joint content and services, to help detect and prevent potentially illegal acts and violations of our policies, and to guide decisions about our services and communications.
- 11.1.2. An affiliate, in which case we will seek to require the affiliates to honour the laws applicable to the privacy and protection of the personal information concerned;
- 11.1.3. Our services providers under contract who help provide certain services or help with parts of our business operations, including fraud prevention, bill collection, marketing, technology services (our contracts dictate that these services providers only use your information in connection with the services they supply or services they perform for us and not for their own benefit); and
- 11.1.4. Other third parties who provide us with relevant services where appropriate.

*We may share your personal information with third parties for the purposes of fulfilling our obligations to you among other purposes.*

### **11.2. Regulators**

We may disclose your personal information to regulators and supervisory authorities with competent authority as required by law.

### **11.3. Law enforcement** - we may share personal information with third parties if we believe the disclosure is reasonably required:

- 11.3.1. to comply with any law or legal process, where applicable;
- 11.3.2. by a subpoena or court order;
- 11.3.3. to protect the safety of any individual or the general public;
- 11.3.4. to prevent violation of the terms of our relationship with you;
- 11.3.5. to establish, exercise or defend our legal rights; and
- 11.3.6. to protect our and/or our stakeholders' rights or property, or the security or integrity of our services.

*We may disclose personal information to third parties if required for legal reasons.*

#### **11.4. Marketing purposes**

We may disclose aggregate statistics (information about the customer population in general terms) to advertisers or business partners.

#### **11.5. Employees**

We may need to disclose personal information to our employees that require the personal information to fulfil their duties. These include our responsible management, human resources, accounting, audit, legal services, compliance, information technology, or other relevant personnel.

#### **11.6. Change of ownership**

If we undergo a change in ownership, or a merger with, acquisition by, or sale of assets to another entity, we may assign our rights to the personal information we process to a successor, purchaser, or separate entity. We will disclose the transfer on the website. If you are concerned about your personal information migrating to a new responsible party, you may, prior to the transfer, request us to delete your personal information. In the event you request for your information to be deleted, we or our successors may not be able to render the services or proceed with the engagement in respect of which the information was provided.

#### **11.7. No selling and other uses**

We will not sell personal information to any third parties. No personal information will be disclosed to anyone except as provided in this policy. We will timeously inform you of any other purpose we may intend (and where necessary seek your consent) to use your personal information, which further use is not covered by this policy.

### **12. Security**

12.1. We take reasonable measures, including administrative, technical and physical safeguards, to protect your information from loss, theft, misuse, unauthorised access, disclosure, alteration and destruction. Be that as it may, the world wide web and information systems are not a hundred percent secure environment and we cannot guarantee absolute security of the transmission or storage of your information. We may hold information about you both at our own premises and with the assistance of third-party service providers.

#### **12.2. Our security responsibilities**

12.2.1. We take the security of personal information very seriously and always do our best to comply with the applicable privacy and data protection laws by maintaining reasonable measures (administrative, technical and physical safeguards) to protect personal information from loss, misuse, and unauthorised access, disclosure, alteration, and destruction.

12.2.2. In respect of our website, we will require our hosting service provider to host our website in a secure server environment that uses a firewall and other advanced security measures to prevent interference or access from outside intruders. We authorise access to personal information only for those employees who require it to fulfil their duties and responsibilities. We implement industry acceptable disaster recovery procedures where appropriate.

### 12.3. Our security disclaimers

- 12.3.1. The third parties whose systems we link to are responsible for the security of information while it is collected by, stored on, or passing through the systems under their control.
- 12.3.2. We will use all reasonable endeavours to ensure that our website and your information is not compromised. However, we cannot guarantee that no harmful code will enter our website (for example viruses, bugs, trojan horses, spyware or adware). You should be aware of the risks associated with using the world wide web (addressed below).
- 12.3.3. If you experience a security issue or loss in respect of your personal information that is caused on your end or by your computer or device being compromised in some way or by something beyond our control, we cannot take responsibility for causing the issue or loss. We will, however, do our best to assist with a resolution where it is within our capability to do so.

### 12.4. Phishing

You must only log in to your SAMRO account from a page that begins with 'https' (<https://www.samro.org.za/>) or any other page that we have designated in writing.

*Our website is hosted on a secure server and uses security measures to prevent interference by intruders.*

### 13. Accurate and current

We will try to keep the personal information we collect as accurate, current, complete, confidential and reliable for the purposes defined in this policy. From time to time we may request you to update your personal information on the website or otherwise as provided below. You are able to review or update any personal information that we hold about you by accessing your account online, emailing us, or phoning us or contacting us through any other means provided in the Complaints Policy. Please note that to better protect you and safeguard your personal information, we may take steps to verify your identity before granting you access to your account or making any corrections to your personal information.

*Please keep your personal information accurate and up to date by accessing your account online and updating your information, emailing us, or by phoning us.*

### 14. Retention

- 14.1. We cannot retain records of your personal information for any longer than is necessary for achieving the purpose for which the information was collected or subsequently processed, unless we are permitted or required by the applicable laws.
- 14.2. You have the right request at any time and free of charge, the destruction or deletion of a record of your personal information where we are no longer authorised to retain such information.
- 14.3. We will only retain your personal information for as long as it is necessary to fulfil the purposes explicitly set out in this policy, unless:

- 14.3.1. retention of the record is required or authorised by law;
- 14.3.2. it is necessary for us to provide services to you; or
- 14.3.3. you have consented to the retention of the record.

During the period of retention, we will continue to abide by our obligations set out in this policy. We may retain your personal information in physical or electronic records at our discretion.

*We will only retain your personal information for as long as is necessary.*

## **15. Transfer to another country**

We may send your personal information to a third party situated in, or store your personal information at a location outside of South Africa. We will only transfer data to other countries which have privacy and data protection laws akin to that of South Africa and that provide an adequate level of protection, or to recipients who can guarantee the protection of personal information at the same standard we protect it or under such circumstances as permissible under the applicable law.

## **16. Your rights**

### **16.1. Know the information we hold about you**

You may request access to your personal information to receive a copy of the personal information that we hold about you. Refer to our Complaints Policy for ways in which you can contact us. We will need to verify your identity before granting access or processing your request.

### **16.2. Updating and/or removal**

- 16.2.1. To the extent the system allows, you may correct or update the personal information you have submitted to us, by accessing the relevant menu in any of the pages on our website.
- 16.2.2. You have the right to request at any time and free of charge, for correction or deletion of your personal information in our possession or under our control if you are of the view that the personal information is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or was obtained unlawfully.
- 16.2.3. A request for correction or deletion of personal information, as contemplated above or a request for the destruction or deletion of personal information as contemplated at section 14 (Retention) must be submitted free of charge in a form which is substantially similar to Form 2 of the Amended POPI Act Regulations through one of the means provided in the Complaints Policy.
- 16.2.4. We do not recommend that requests for correction, deletion or destruction of personal information be made through telephonic means, however, where the request is made through such means, we have an obligation to record the telephonic conversation and, upon your request, make such recording available to you free of charge. If you intend to make the request by telephonic means, you may contact us through the means of contact provided in the Complaints Policy.
- 16.2.5. Notwithstanding your request, we may continue to process your personal information where it is legally permissible for us to do so. We will, within thirty (30)

days of receipt of your request for correction, deletion, destruction of your personal information, notify you in writing of the action taken pursuant to the request.

### 16.3. Withdrawal of consent or objection to processing

16.3.1. You may withdraw your consent where we are relying on consent as a lawful basis or justification to process your personal information. You may also object to our processing where we are relying on another lawful basis or justification for processing. Please note however that objections are handled on a case-by-case basis and in some events, where required or permissible in terms of the applicable law, we might not abide by the objection. Where the objection is upheld, please note further that we might not be able to provide services to you or continue in our engagement with you, as the case may be. We may need to request additional information from you to verify your identity for you to access these rights. This is to ensure that your personal information is not disclosed to an unauthorized person.

16.3.2. If you wish to object to the processing of your personal information where the ground for our processing is that:

- processing protects your legitimate interest(s); or
- processing is necessary for pursuing our legitimate interests or of a third party to whom the information is supplied,

you can submit an objection free of charge and at any time during our office hours (which are, 8h00 to 16h30 during Mondays to Fridays, excluding public holidays).

16.3.3. If you wish to object to the processing of your personal information where we process it for purposes of direct marketing (other than direct marketing by means of unsolicited electronic communications as referred to in section 69 of the POPI Act), you can submit an objection free of charge and at any time during our office hours (which are, 8h00 to 16h30 during Mondays to Fridays, excluding public holidays).

16.3.4. The objection hereof must be submitted on a form substantially similar to Form 1 of the Amended POPI Act Regulations. The submission may be made by hand, post, email or through other means of contact provided in the Complaints Policy.

16.3.5. We do not recommend that an objection be made through telephonic means, however, where such a request is made, we have an obligation to record the telephonic conversation and, upon your request, make such recording available to you free of charge. If you wish to object by telephonic means, you may contact us utilising the telephone number provided in the Complaints Policy.

*You may choose to update or remove the personal information you have submitted to us.*

## 17. Changes

We may change the terms of this policy at any time, in which case the updated policy will be made available on our website. We will notify you of any changes by placing a notice in a prominent place on the website or by sending you an email detailing the changes that we have made and indicating the date that they were last updated. If you do not agree with the changes, then you must stop using the website or our services and/or interacting with us. If you continue to use the website or services and/or to interact with us following notification

of a change to the terms, the changed terms will apply to you and you will be deemed to have accepted those updated terms.

## 18. Limitation

We are not responsible for, and give no warranties, nor make any representations in respect of the privacy policies or practices of linked or any third-party websites.

## 19. Enquiries

19.1. Please contact us if you:

19.1.1. Want to submit a request for the correction, deletion or destruction of your personal information as provided at section 14 (Retention) or section 16 (Updating and removing) of this policy;

19.1.2. Want to object to the processing of certain of your personal information as provided in section 16 (Withdrawal of consent or objection to processing) of this policy; and/or

19.1.3. Have any questions about this policy or how we handle your personal information.

19.2. We may be contacted as provided below and/or in any other manner provided in our Complaints Policy.

<b>Hand delivery</b>	SAMRO Place, 20 De Korte Street, Braamfontein, Johannesburg, South Africa
<b>Post</b>	P.O. Box 31609 Braamfontein 2017
<b>E-mail:</b>	<a href="mailto:dataprivacy@samro.org.za">dataprivacy@samro.org.za</a>
<b>Short Message Service:</b>	N/A
<b>WhatsApp Message</b>	N/A
<b>Fax</b>	N/A
<b>Telephone</b>	<b>Switch Board:</b> 011 712 8000
<b>NB: For the correspondence to reach the intended and correct destination, all correspondence must be addressed to or be stated to be for the attention of Deputy Information Officer c/o Legal Services Department</b>	

## Document Control

### Version history

This document is the latest version indicated in the following table:

Version	Details of changes	Author
1.0	Initial Draft	Legal Services Department
2.0	Revised Draft	Legal Services Department

### Version review

This document version was approved for implementation as shown below, and is effective from the date of approval.

This policy will be reviewed every second year, or when necessary (i.e. legislative changes), from the date of approval.

This document version was reviewed as indicated in the following table:

Person	Designation	Review date
Annabell Lebetho	CEO	13 May 2026
Leanne Thomas	CFO	
Clinton Hornett	GM: Distributions	05/11/2025
Kgomotso Mosenogi	GM: Marketing	
Mxolisi Zimu	GM: IM&S	
Karabo Senna	GM: Sales and Licensing	
Grace Khambane	GM: HR	
Nobambo Goduka	GM: Member Services	